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**Birch, Stewart, Kolasch & Birch, LLP****Fax**RECEIVED  
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To:	Examiner Sullivan	From:	BSKB
Fax:	703-872-9306	Date:	May 17, 2004
Phone:		Pages:	22 (including cover sheet)
Your Ref.:		Our Ref.:	1377-0170P
Re:	Application No. 09/914,191	CC:	

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

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**Comments:**

If a copy of the Canceled Check is needed,  
Please Contact Samantha Magulas at 703-205-8090 x6046.  
Thanks!

Papers Filed herewith on: March 10, 2004 19  
DOCKET NO.: 1377-0708 ATTY.: GMM/MAA  
APPLICANT(S): BROADY et al.  
APPLN. NO.: 09/94,191 FILED: 8/24/01  
PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-Ink  
☐ Completion of Filing Requirements, PCT/DO/EQ/905  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☒ Amendment: \_\_\_\_\_  
☐ Transmittal Ltr ☐ Large Entity ☒ Small Entity  
☐ Response  
☐ Information Disc Stmt. PTO-1449(s) \_\_\_\_\_ doc(s)  
☐ PTO/ISA/210  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal ☐ Sequence Listing  
FEES: 3475.00 - US 9014033 F  
☐ Letter  
☒ Other: Exhibit A  
& Declaration MAR 10 2004

Receipt is hereby acknowledged of the papers filed as  
indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: 5-10-04  
Handcarry: \_\_\_\_\_

DOCKET NO. 1377-0708

PATENT  
1377-0170P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hugh R. BRADY et al. Conf.: 9468  
 Appl. No.: 09/914,191 Group: 1636  
 Filed: August 24, 2001 Examiner: D. SULLIVAN  
 For: IDENTIFICATION OF GENES HAVING A ROLE IN  
 THE PRESENTATION OF DIABETIC NEPHROPATHY

SMALL ENTITY TRANSMITTAL FORM

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

March 10, 2004

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27.  
☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.  
☐ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	10	-	20	=	0	\$ 9	\$0.00
INDEPENDENT	2	-	3	=	0	\$ 43	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$145	\$0.00
						TOTAL	\$0.00

Appl. No. 09/914,191

- ☒ Petition for three (3) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$475.00 for the extension of time.
- ☐ No fee is required.
- ☒ Check(s) in the amount of \$475.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
MaryAnne Armstrong, #40,069

MAA/csm  
1377-0170P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 02/08/2004)

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1377-0170P**RECEIVED**  
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## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: BRADY et al. Conf.: 9468 MAY 17 2004  
Appl. No.: 09/914,191 Group: 1636  
Filed: August 24, 2001 Examiner: Daniel M. Sullivan  
For: IDENTIFICATION OF GENES HAVING A ROLE  
IN THE PRESENTATION OF DIABETIC  
NEPHROPATHY

AMENDMENT UNDER 37 C.F.R. §1.111

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 10, 2004

Sir:

In response to the Office Action issued on September 10, 2003, the due date having been extended for three (3) months to March 10, 2004, the following amendments and remarks are respectfully submitted.

The present response contains amendments to specification and claims and remarks.